# City Council Atlanta, Georgia

AN ORDINANCE

NPU-B

Z-03-56/Z-01-49

03- 0-1365

BY: ZONING COMMITTEE

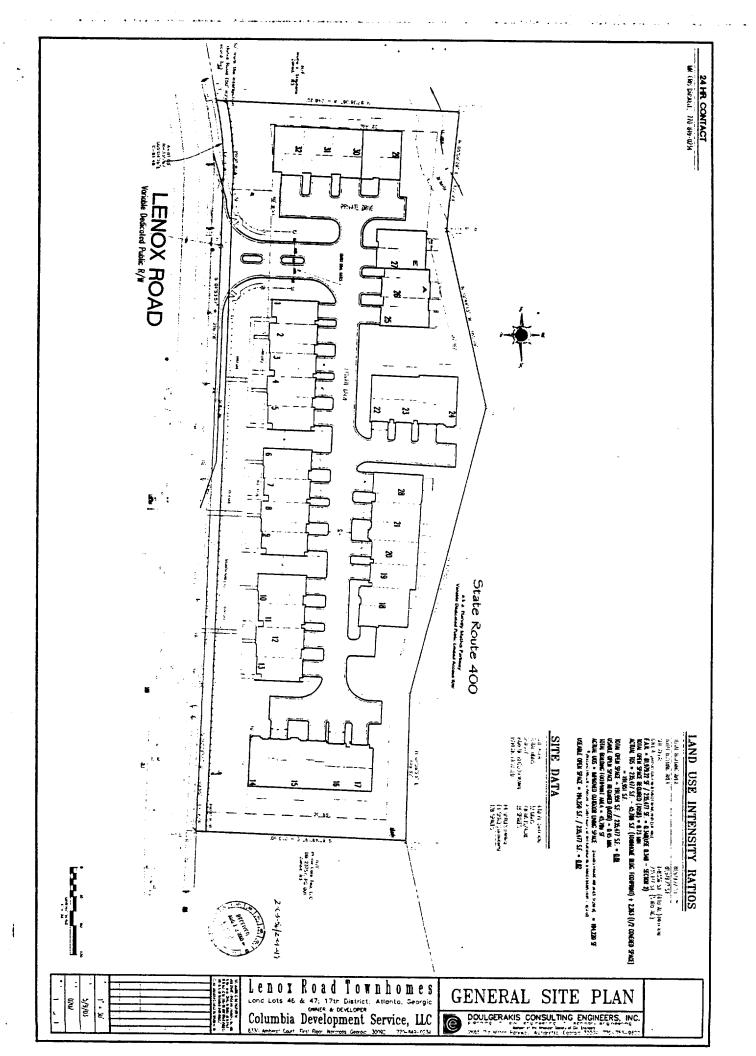
AN ORDINANCE TO AMEND ORDINANCE Z-01-49, ADOPTED BY CITY COUNCIL DECEMBER 3, 2001 AND APPROVED BY OPERATION OF LAW DECEMBER 12, 2001, REZONING FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-2-C (RESIDENTIAL GENERAL-SECTOR 2-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 3016-3030-3042-3060-3072 LENOX ROAD, N.E., FOR THE PURPOSE OF APPROVING A REVISED SITE PLAN. OWNER: COLUMBIA DEVELOPMENT SERVICES, LLC APPLICANT: SAME BY: WILLIAM WOODSON GALLOWAY, ATTORNEY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

COUNCIL DISTRICT 7

SECTION 1. That Ordinance Z-01-49, adopted by City Council December 3, 2001 and approved by Operations of Law December 12, 2001, rezoning from the R-3 (Single-Family Residential) District to the RG-2-C (Residential General-Sector 2-Conditional) District, property located at 3016-3030-3042-3060-3072 Lenox Road, N.E. is hereby amended by deleting the site plan entitled "Site Plan, Lenox Townhomes" prepared by Clark Design Group P.C., dated August 14, 2001 and marked received by the Bureau of Planning September 20, 2001 and substituting in lieu thereof the site plan entitled "Lenox Road Townhomes, General Site Plan" prepared by Doulgerakis, Consulting Engineers Inc., dated May 9, 2003 and marked received by the Bureau of Planning August 12, 2003.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.



## Atlanta City Council

# Regular Session

MULTIPLE 03-0-1339;1363;1364;<u>1365</u>;1366;1367;1368; 1369;1370 TO ZRB AND ZONING REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith Y Archibong Y Moore Y Mitchell Y Starnes Y Fauver Y Martin NV Norwood Y Young Y Shook Y Maddox Y Willis Y Winslow Y Muller Y Boazman NV Woolard



01-0-1263

# City Council Atlanta, Georgia

AN ORDINANCE BY: ZONING COMMITTEE

Z-01-49

DATE FILED: 7-17-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at 3016-3030-3042-3060-3072 Lenox Road, N.E. be changed from the R-3 (Single-Family Residential) District to the RG-2-C (Residential General-Sector 2-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 46 and 47 of the 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy.

Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

DEC 03, 2001

DEC 12, 2001



### Conditions for Z-01-49

- Site Plan entitled "Site Plan, Lenox Townhomes" prepared by Clark Design Group P.C., dated August 14, 2001, and marked received by the Bureau of Planning September 20, 2001.
- 2. The attached document identified as Exhibit A, consisting of one (1) page, referencing "Conditions Z-01-49" and marked received by the Bureau of Planning November 8, 2001 is hereby considered a condition of this rezoning and its provisions shall be enforced as such.

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PLANIE.





**CONDITIONS Z-01-49** Re:

Recommendation: APPROVAL of Z-01-49 based upon an RG-2-C site plan dated September 26, 2001

#### Conditions:

There shall be no accessory retail or other business use of the Property or any 1. part thereof.

continuous (99) 2. There shall be no solid walls and no chain-link or wooden fencing placed along the frontage of Lenox Road.

3. The following signs and/or lighting shall not be used: neon, flashing, strobe, roatating, fluorescent (if outdoors), sound-emitting, banners, and/or temporary or permanent window signs.

4. If the present owner(s) [or any future owner(s)] of the property seek any modification of the site plan dated September 26, 2001, they shall file a new application with the City of Atlanta which will be referred to NPU-B, the ZRB, and the Zoning Committee of City Council.

Exhibit A
Z-01-49
Page log1

#### LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL of land lying and being in Land Lots 46 \$ 47 of the 17th District of Fulton County, City of Atlanta, Georgia and being more particularly described as follows:

Commencing at the point of intersection of the northerly right-of-way of Burke Road (50' R/W) and the westerly right-of-way of Lenox Road (50' R/W at this point); thence in a northwesterly direction following the westerly right-of-way of Lenox Road 830 feet to an iron pin found and the TRUE POINT OF BEGINNING; thence leaving said right-of-way North 87 degrees 36 minutes 06 seconds West a distance of 248.20 feet to a concrete night-of-way monument on the easterly night-of-way of Georgia 400; thence along said night-of-way North 05 degrees 59 minutes 29 seconds East a distance of 122.23 feet to a concrete right-of-way monument; thence continuing along said right-of-way North 12 degrees 44 minutes 13 seconds West a distance of 185.78 feet to a concrete right-of-way monument; thence North 14 degrees 35 minutes 21 seconds East a distance of 383.31 feet to a point; thence continuing along said right-of-way North 12 degrees 19 minutes 59 seconds West a distance of 74.84 feet to a Iron pin found; thence leaving said right-of-way South 87 degrees 49 minutes 19 seconds East a distance of 213.50 feet to an Iron pin found on the westerly right-of-way of Lenox Road; thence along said right-of-way South 02 degrees 24 minutes 55 seconds West a distance of 149.96 feet to a iron pir found; thence continuing along said right-of-way South 02 degrees 10 minutes 11 seconds West a distance of 301.68 feet to a iron pin found; thence continuing along said right-of-way South OI degrees 53 minutes 57 seconds West a distance of 216.78 feet to a point; thence along a curve to the left an arc distance of 81.68 feet feet to a iron pin found, said arc having a radius of 335.67 feet and a chord which bears South 05 degrees 04 minutes 16 seconds East a distance of 81.48 feet and the POINT OF BEGINNING.

Said Tract or Parcel containing 177,225 square feet or 4.068 acres, more or less.

# Atlanta City Council

# Regular Session

MULTIPLE

01-0-1263/Z-01-49 01-0-1357/Z-01-75 ADOPT ON SUB

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y McCarty NV Dorsey Y Moore Y Thomas Y Starnes Y Woolard Y Martin Y Emmons NV Bond Y Morris Y Maddox NV Alexander Y Winslow NV Muller N Boazman NV Pitts

□Consent □V Vote □RC Vote □2nd □1st & 2nd □3rd ATLANIA GITY COUNCIL PRESIDENT COUNCIL ACTION **MAYOR'S ACTION** WITHOUT SIGNATURE BY OPERATION OF LAW APPROVED CEPUTY EUNICIPAL CLERK CERTIFIED DEC 1 2 2001 **DEC 0 3 2001** 3 2001 阳 Fav, Adv, Hold (see rev. side) Fav, Adv, Held (see rev. side) Committee Committee Members Offer Members Rofer To Refer To Actions Chal First Reading Committee of The 1) which Star For, Adv, Hold (see rev. side) Fav, Adv, Held (see rev. side) 12.20.C or suborter chair Committee Committee Members Actions Refer To ğ Chair Chair PROPERTY LOCATED AT 3016-3030-3042-3060 BEGINNING 830 FEET NORTHERLY FROM THE NORTHWEST CORNER OF BURKE ROAD. DEPTH: (SINGLE-FAMILY RESIDENTIAL) DISTRICT 3072 LENOX ROAD, N.E., FRONTING 750 FEET ON THE WEST SIDE OF LENOX ROAD AN ONDINANCE TO REZONE FROM THE R-3 TO THE RG-3-C (RESIDENTIAL-GENERAL-SERVICES, LLC BY: WILLIAM WOODSON GALLOWAY, ESQ. 2-01-49LAND LOTS 46 & 47, 17TH DISTRICT, Annette BY APPLICANT: COLUMBIA DEVELOPMENT COUNCIL 248.20 FEET; AREA: 4.068 ACRES; DEC 03 2001 SECTOR 3-CONDITIONAL) DISTRICT, (Do Not Write Above This Line) 01-7 -1263 COUNCIL DISTRICT 7 OWNER: ANN Y. VINING ET AL 1st ADOPT 2nd READ & REFER FULTON COUNTY, GEORGIA. REGULAR REPORT REFER BY: ZONING COMMITTEE ADVERTISE & REFER 0 CONSENT REFER Section 1 ATTORNEY AN ORDINANCE **Date Referred** Referred To: